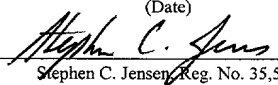


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Diab, et al.	)	Group Art Unit Unknown
)	
Appl. No.	:	Unknown	)	I hereby certify that this correspondence and all
			)	marked attachments are being deposited with the
Filed	:	Unknown	)	United States Postal Service as first-class mail in
			)	an envelope addressed to Assistant
For	:	LOW-NOISE OPTICAL	)	Commissioner for Patents, Washington, D.C.
		PROBE	)	20231, on
)	
			)	July 3, 2001
			)	(Date)
)	
			)	Stephen C. Jensen, Reg. No. 35,556
Examiner	:	Unknown)	

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Prior to the examination of the merits, please amend the application filed herewith as follows:

IN THE SPECIFICATION:

After the title, please replace the continuing application references with the following:

--This application is a continuation of Application Serial No. 09/094,202, filed June 9, 1998, which is a continuation of Application Serial No. 08/543,789, now U.S. Patent No. 5,782,757, filed October 16, 1995, which is a continuation-in-part of Application Serial No. 08/333,132, filed November 1, 1994, now U.S. Patent No. 5,638,818, which is a continuation-in-part of Application Serial No. 07/672,890, filed March 21, 1991, now abandoned.—

IN THE CLAIMS:

Kindly delete Claims 1 – 21.

Please add the following new claims:

22. (New) An optical probe for use with a physiological measurement device, said optical probe comprising:

at least one light emitter;

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a detector;

a substrate carrying the at least one emitter and detector; and

an optical obstruction between the emitter and said detector which reduces light piping between said emitter and said detector when said optical probe is affixed to a portion of a patient.

23. (New) The optical probe of Claim 22, further comprising a flexible backing supporting said flexible circuit, said flexible backing adapted to affixed said optical probe to said medium.

24. (New) An optical sensor for use in physiological monitoring comprising;

at least one emitter;

a detector;

a substrate carrying said emitter and said detector; and

an optical barrier between the emitter and detector to substantially obstruct radiation from transmitting along the substrate between said emitter and said detector without having passed through a portion of the patient when said sensor is affixed to a patient.

25. (New) The optical sensor of Claim 24, wherein said obstruction comprises an aperture in said substrate between the emitter and the detector.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: July 3, 2001

By: Stephen C. Jensen
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